

04566 RF94



Department of Energy

ROCKY FLATS FIELD OFFICE
P.O. BOX 928
GOLDEN, COLORADO 80402-0928

DEC 19 1 39 PM '94

DEC 15 1994



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94-DOE-12202

SUBJECT
DATE
ACTION

DIST.	LTR	ENC
BURLINGAME, A.H.		
USBY, W.S.		
CARNIVAL, G.J.		
ORDOVA, R.C.		
AVIS, J.G.		
ENN, T.M.		
ERRERA, D.W.		
RAY, R.E.		
ULTON, D.L.		
SEIS, J.A.		
LOVER, W.S.		
OLAN, P.M.		
IANI, B.J.		
HEALY, T.J.		
EDAHL, T.G.		
ILBIG, J.G.		
OLLOWELL, L.J.	X	
UTCHINS, N.M.		
ACKSON, D.T.		
ELL, R.E.		
UESTER, A.W.		
MARX, G.E.		
McCART, D.		
McDONALD, M.M.		
McGOVERN, L.J.		
McKENNA, F.G.		
PAUKERT, J.G.		
PIZZUTO, V.M.		
POTTER, G.L.		
BATTERWHITE, D.G.		
SCHRAEDER, D.C.		
SCHUBERT, A.L.		
SCHWARTZ, J.K.		
SETLOCK, G.H.		
STIGER, S.G.	X	
VOORHEIS, G.M.		
COWDRY, C.	X	

EC&G
ROCKY FLATS PLANT
CORRESPONDENCE CONTROL

Mr. Joe Schieffelin
Hazardous Waste Facilities Unit Leader
Colorado Department of Public Health and Environment
4300 Cherry Creek Drive South
Denver, Colorado 80222-1530

Dear Mr. Schieffelin:

The Department of Energy (DOE) received your response of November 18, 1994, to our proposed settlement language for the Operable Unit (OU) No. 9 dispute. With minor changes in the following areas, we believe that agreement can be reached on all issues of dispute.

The language that you proposed in your November 18, 1994, letter requires submittal of the plans for the investigation of tanks T-8 and T-9 within 60 calendar days. The settlement language that I signed and sent to you on October 20, 1994, provided 90 days for this submittal. We reviewed the time necessary to prepare and submit plans for the investigation of the T-8 and T-9 tanks. The DOE is concerned that the 60 days for preparation of the plans cannot be made because of the time required to initiate the procurement process before the subcontractor can begin preparation of the plans. The DOE proposes that the plans be submitted within 90 days.

You requested that the internal inspection of the T-8 and T-9 tanks include pressure testing. The investigations plans for the T-8 and T-9 tanks is to be similar to that proposed in Technical Memorandum (TM) 1 for the other OU 9 tanks. Pressure testing is not part of those investigations. Therefore, DOE proposes to delete pressure testing from the settlement language. In addition, DOE proposes to delete the language regarding conducting the T-8 and T-9 investigation as part of the other TM-1 tank investigations. The schedule for the final closure of these tanks cannot be established at this time, because the plans have not been prepared. Consequently, DOE does not want to delay the investigation and closure of the other tanks in TM-1 by making them dependent on the investigation of T-8 and T-9 tanks.

The DOE proposes to delete the language regarding the alternative containment for the T-8 and T-9 tanks during internal investigation because this is an operational issue similar to utility or access clearance and is not part of the investigation plan.

CORRES. CONTROL	X	X
ADMIN. RECORD		
DATA		

Reviewed for Addressee
Corres. Control RFP12-19-94
DATE BY

Ref Ltr. #

DOE ORDER # 5400.1

ADMIN RECORD

A-DU09-000243

J. Schieffelin
94-DOE-12202

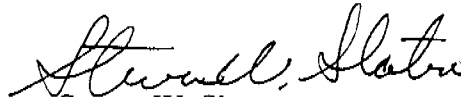
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The DOE proposes that the dispute resolution for the T-24 and T-32 tanks be treated in the same manner as the T-8 and T-9 tanks. The DOE also proposes that the settlement language be approximately the same as that proposed for the T-8 and T-9 tanks with the same modifications as described above (for the T-8 and T-9 tanks).

If you have any questions, please contact Regina Sarter at (303) 966-7252.

Sincerely,



Steven W. Slaten
IAG Project Coordinator
Environmental Restoration

Enclosure

cc w/ Enclosure:
M. Hestmark, EPA
Administrative Records

cc w/o Enclosure:
J. Ciocco, EM-453, HQ
M. Silverman, OOM, RFFO
L. Smith, AMOWM, RFFO
J. Roberson, AMER, RFFO
J. Hartman, AMSS, RFFO
D. Ruscitto, AMOWM, RFFO
D. Brockman, AMESH, RFFO
S. Olinger, ESH, RFFO
F. Lockhart, ER, RFFO
R. Schassburger, ER, RFFO
S. Slaten, ER, RFFO
R. Sarter, ER, RFFO
M. Roy, OCC, RFFO
J. Christ, OD, RFFO
G. Huffman, SS, RFFO
D. Mauer, EGD, RFFO
J. Burd, SAIC
S. Stiger, EG&G
C. Cowdry, EG&G

Resolution:

As part of this resolution, DOE, CDPHE and EPA IAG Coordinators agree to the following:

1. As of the execution date of this dispute resolution, CDPHE grants full and unconditional approval of Technical Memorandum 1, Volume 1, Part A to the Phase I RFI/RI Work Plan for Operable Unit 9.
2. In accordance with the IAG, DOE will submit a plan to investigate tanks T-8 and T-9 within 90 days of the execution of this dispute resolution. This plan shall include investigation of the soil, groundwater, and tanks in a manner similar to that proposed in TM1 for other tanks in OU9 (e.g., investigation of both the surface and subsurface soils above and in the vicinity of the tanks; investigation of the groundwater, if encountered in boreholes from which subsurface soil samples are obtained; an external inspection of the tanks, if accessible; an internal inspection of the tanks; and an investigation of the internal residue with wipe samples or rinse and rinsate sampling; and a schedule for implementing the proposed work). The investigation will be conducted within 18 months of the execution of this dispute resolution. An 18 month period is necessary to allow continuation and prevent disruption of vital safety systems operations. The DOE Operations Division, therefore, will investigate contingencies for feasible alternative containment, if needed.
3. In accordance with the IAG, DOE will submit a plan to investigate tanks T-24 and T-32 within 90 days of the execution of this dispute resolution. This plan shall include investigation of the soil, groundwater, and tanks in a manner similar to that proposed in TM1 for other tanks in OU9 (e.g., investigation of both the surface and subsurface soils above and in the vicinity of the tanks; investigation of the groundwater, if encountered in boreholes from which subsurface soil samples are obtained; an external inspection of the tanks, if accessible; an internal inspection of the tanks; and an investigation of the internal residue with wipe samples or rinse and rinsate sampling; and a schedule for implementing the proposed work). The investigation will be conducted within 18 months of the execution of this dispute resolution. The T-24 tanks will be converted to generator status and the existing secondary containment for T-24 will be maintained in good condition.



Steven W. Slaten
Interagency Agreement Coordinator, DOE



Date

Joe Schieffelin
Unit Leader, CDPHE

Date

Martin Hestmark
RFP Manager, EPA

Date